



THE ASSAM GAZETTE

অসাধাৰণ

EXTRAORDINARY

প্ৰাপ্ত কৰ্তৃত্বৰ দ্বাৰা প্ৰকাশিত

PUBLISHED BY THE AUTHORITY

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GOVERNMENT OF ASSAM

ORDERS BY THE GOVERNOR

PUBLIC WORKS ROADS DEPARTMENT :: ESTABLISHMENT-B BRANCH

NOTIFICATION

The 19th July, 2021

No. RBEB 290/2017/Pt-II/132.- In exercise of the powers conferred by the proviso to Article 309 of the Constitution of India, the Governor of Assam is hereby pleased to make the following Rules regulating the recruitment to and the conditions of service appointed to the **Assam Public Works Grade-IV Service, namely :-**

Short title and Commencement

1. (1) These rules shall be called the **Assam Public Works Grade-IV Service Rules, 2021**.
(2) They shall come into force on the date of their publication in the Official Gazette.

Definition:

2. In these rules, unless there is anything repugnant in the subject or context:-
 - (3) "Appointing Authority" means the Head of the office of respective Divisions/Circles and the Directorate Establishments under Public Works Roads Department.
 - (4) "Board" means the Selection Board constituted under rule 6.
 - (5) "Constitution" means the Constitution of India.
 - (6) "Directorate establishments" means establishments of the Chief Engineer Public Works Roads Department, Chief Engineer Public Works (Border Roads and NEC Works) Department and the Chief Engineer, Public Works (Externally Aided Projects) Department and the Director, Assam Road Research and Training Institute and the establishments of the Additional Chief Engineer, Eastern Zone, Public Works Roads Department, Dibrugarh; Additional Chief Engineer, Tezpur Zone,

Public Works Roads Department, Tezpur ; Additional Chief Engineer, Public Works Department, Barak Valley , Silchar; Additional Chief Engineer, Public Works Roads Department, BTC, Kokrajhar ; Additional Chief Engineer, Public Works Roads Department, Hills , Diphu and Additional Chief Engineer, Public Works Roads Department, Haflong;

- (7) "Divisions and Circles" means offices of all the Divisions under Public Works Roads Department and the Circle offices under Public Works Roads Department
- (8) "Government" means the Government of Assam.
- (9) "Governor" means the Governor of Assam.
- (10) "Member of the service" means a member of the Assam Public Works Grade-IV Service.
- (11) "Select List" means the list as referred to in clause (c) and (d) of rule 7(2) and Clause (b) and (c) of rule 13 .
- (12) "Service" means the Assam Public Works Roads Department Grade-IV Service.
- (13) "Year" means a Calendar Year.

Cadre:

- 3. (1) The Service shall consist of the following classes and cadres:-
 - (a) Duftry.
 - (b) Peon.
 - (c) Chowkider
- (2) The Service may also include:-
 - (a) Any post equivalent to a post in any of the Cadres mentioned in sub rule(1) and
 - (b) Any Cadre or Post laid down by the Government to be included in a cadre of the service.
- (3) The status of the members shall be that of non-gazetted Class-IV service under the Government.

Strength:

- 4. The strength of each cadre in the service shall be such as determined by the Governor from time to time. The strength of the cadres of the service on the date of commencement of these rules shall be as shown in **Schedule-I** provided that the Governor may hold in abeyance any post as and when considered necessary.

Mode of Recruitment

- 5. Recruitment to the cadres of Service shall be made in the following manner; namely:-
 - (1) **Duftry:** A member of the service (Peon and Chowkider) shall be eligible for promotion as **Duftry** under this rule, subject to the conditions that she/ he must have rendered service as Peon in any District or Directorate establishment under Public Works Roads Department for a minimum continuous period of **seven (7) years** on the first January of the year of promotion. By promotion from amongst all the Peons in accordance with **rule 9 and 10**.
 - (2) **Peon/Chowkider:-** By direct recruitment, in accordance with the **rule 7**

Selection Board

6. The selection Board shall consist of with following members, namely,-
- (i) Commissioner and Special Secretary to the Government of Assam, Public Works Roads Department. : Chairman
 - (ii) Chief Engineer, Public Works Roads Department : Member
 - (iii) Chief Engineer, Public Works Roads Department, (Border Roads & NEC Works) : Member
 - (iv) Chief Engineer, Public Works Roads Department, (Externally Aided Projects) : Member
 - (v) Addl. Chief Engineer (Planning), Public Works Roads Department or any Officer as may be appointed by the Chairman : Member
 - (vi) Deputy Secretary (Establishment) to the Government of Assam, Public Works Roads Department, : Member Secretary

Direct Recruitment to the cadre of Peon and Chowkider

7. Direct recruitment to the cadre of Peon and Chowkider against the vacancies occurring in a year in the District Establishments and Directorate Establishments under Public Works Roads Department shall be made by the Appointing Authority(ies) in accordance with the Procedure herein after provided :-
- (1) Every year in the month of November, the Appointing Authorities shall make an assessment regarding the likely number of vacancies to be filled up by direct recruitment during the next year together with the details about the reservation for Scheduled Tribes, Schedule Caste or any other category as laid down by Government, as provided under **rule 11** and about carry forward of such reservation and shall intimate the Central Selection Board accordingly within the month of December of that year.
 - (2) The Board shall arrange to compile all the vacancies of the Peon and Chowkider in a year for all the Directorates, Divisions and Circles under Public Works Roads Department and shall apprise the Selection Board accordingly about the total vacancies against the Sanctioned posts of Peon and Chowkider under the Directorates, Divisions & Circles wise. The Board shall examine the proposal and take a decision for recruitment to the vacant Peon and Chowkider.
 - (a) Board shall then invite applications through advertisements in the widely circulated local news papers (preferably in regional language of the State and in English language). Board also upload the advertisement in Departmental website. In the advertisement, the candidates *inter alia* shall be asked to indicate their choice of posting in order of preference.
 - (b) The applications received in response to the advertisement within the fixed time frame (either online or manual), shall be scrutinised for acceptance by the Board. Thereafter, the Board shall fix a date for holding a written test followed by computer skill test. The syllabus for written test shall be as specified in **Schedule-IV**.
 - (c) The candidates, who shall qualify in the written test, be shortlisted, for three (3) times of the number of vacancies for

verification of documents. On completion of the same, the Board shall prepare a list of candidates found suitable. The Select List shall be published in 2(two) widely circulated Newspapers and in the official website for appointment to the post of Peon and Chowkider in order of merit, along with their place of posting.

- (d) The Select List prepared for Direct Recruitment to the vacant sanctioned post shall contain names of candidates equal to the number of vacant posts. The select list shall remain valid for one year with effect from the date of its publication.
 - (e) The Board thereafter shall forward the select List of the successful candidates, along with the place of posting, to the respective Appointing Authorities, i.e. the Chief Engineers, Additional Chief Engineers, Executive Engineers, Superintending Engineers for appointments.
 - (f) The Appointing authority shall make all appointments during the year from such Select List.
 - (g) In the event the Board is unable to enlist sufficient number of candidates to fill up the vacancies in a year, the Board shall repeat the procedure, for preparing a subsequent list in the year
- (3) After appointment by the appointing authority(ies), the entire service matter of the incumbent shall be maintained by the concerned Appointing Authority(ies).

Qualification for Direct recruitment-

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| Age | 8. A candidate for direct recruitment shall not be less than 18 years and more than 40 years of age on the First January of the year of recruitment, with relaxation in case of candidates belonging to special categories like Scheduled Caste, Scheduled Tribe or any other category as laid down by the Government and in force. |
| Academic Qualification | 9. The academic qualifications of a candidate for direct recruitment to the post of Peon and Chowkider shall be as prescribed in Schedule-III. |
| Physical fitness | 10. A candidate for direct recruitment shall be:- <ul style="list-style-type: none"> (a) of sound health, both mentally and physically and free from organic defect or bodily infirmity likely to interfere with the efficient performance of his / her duties, and (b) required to undergo medical examination before appointment to the service. |
| Disqualification | 11. No person shall be eligible for appointment to the service:- <ul style="list-style-type: none"> (a) Unless he or she is a citizen of India. (b) If he has more than 1(one) wife living or in case of female candidates who has married a person who has his wife living. (c) Candidates having more than two children shall not be eligible for appointment to the service. |
| Character | 12. A candidate for direct recruitment shall produce to the appointing authority, certificate of good character from:- <ul style="list-style-type: none"> (a) The Principal or Academic officer of the institution in which he studied last; and |

**General
Procedure for
promotion to the
cadre of Duftry**

- (b) Two responsible persons, who are well acquainted with (but not related to) the candidate.

13. (1) Every year in the month of November, the Appointing Authority(ies) shall make as assessment of the likely number of vacancies against the sanctioned posts to be filled up by promotion in the next year in each cadre of Duftry.
- (2) The Appointing Authority(ies) shall furnish the following documents and information with regard to as many employees [Peon, Chowkider and Duftry] in order of seniority as four (4) times the number of vacancies in the post of Duftry.
- (a) Information about the number of cadre wise vacancies.
- (b) List of employees in orders of seniority, who are eligible for promotion, indicating the cadre to which the case of promotion is to be considered.
- (c) Last three (3) years Annual Confidential Report/ Service Record/ Performance Appraisal of the employees listed.
- (d) Details about reservation and about carry forward of vacancies as per rule 11, and
- (e) Any other documents and information as may be considered necessary by the Appointing Authority or required by the Board.
- (3) (a) The Selection for promotion from Peon to Duftry shall be on the basis of **seniority cum merit** to possession of the requisite academic qualification and experience and as may be prescribed by the Government from time to time.
- (b) The Boara, after examination of the documents and information furnished by the Appointing Authorities shall recommended to the concerned Appointing Authorities a **select List** of candidates **equal to the probable number of vacancies**, in order of preference, found suitable for promotion by the Board. The Board shall forward the Select List to the concerned Appointing Authorities for issuing Orders of promotion in accordance with the order of preference determined in the Select list.
- (c) The inclusion of an employee's name in a **select list** shall confer no right to promotion unless the concerned Appointing Authority is satisfied after such enquiry as may be considered necessary that a candidate is suitable for promotion.
- (d) The **Select List** shall remain valid for twelve (12) months from the date of recommendation by the Board to the appointing authorities of the concerned establishments.

Reservation

14. In case of direct recruitment to the service, there shall be reservation in favour of candidates belonging to Scheduled Caste, Scheduled Tribe, Other Backward Class and any other category, including women, Persons with Disabilities (PwD) and Economically Weaker Section (EWS), as determined by the Government from time to time. In case of promotion reservation (including Post Based Roaster is to be followed as per prevailing guideline of reservation), and carry forward of reservation shall be as per applicable Government policies and norms.

- Appointment**
15. (1) Subject to provision of appointment under **rule 7**, shall be made by the Appointing Authority in accordance with the order of preference determined in the list referred to in **sub rule (c) and (d) of rule 7(2)**.
- (2) The inclusion of a candidate's name in the list mentioned in **sub rule (c) and (d) of rule 7(2)** shall confer no right of appointment unless the Appointing Authority is satisfied after such inquiry as prescribed by the Government from time to time and also as may be considered necessary, that a candidate is suitable in all respects for appointment to the service.
- Joining time**
16. A person shall join within fifteen (15) days from the date of receipt of the order for appointment or promotion, shall be cancelled unless the Appointing Authority extends the period, which shall not, in all, exceed three (3) months. *However, in extraordinary circumstances, the Government may extend the jointing time period beyond three (3) months.*
- Discharge or Reversion**
17. A temporary officiating member of the service shall be liable to be discharged or reverted to the lower cadre of service or to his original service if :-
- (1) He /She fails to render satisfactory service during his/ her tenure of service in the cadre, and
- (2) It is found in a subsequent verification that he/she was initially not qualified for the appointment/promotion or he/she had furnished any incorrect information or documents with regard to his/ her appointment or promotion.
- Seniority**
18. (1) The seniority of a member in a cadre, appointed by direct recruitment or by promotion shall be determined according to the order of merit, in the respective Select list mentioned under clause **(e) and (f) of sub rule 2 of rule 7 and sub rule (b) and (c) of rule 13**
- Provided she/ he joins the appointment within 15 days from the date of receipt of the order or within the extended period as mentioned in **rule 13**.
- (2) If a member fails to join the post to which he/she is appointed within the initial fifteen (15) days of receipt of the order or within the extended period as mentioned in **rule 13**, but joins later, his/her seniority shall be determined in accordance with the date of joining.
- (3) A member appointed by promotion against a vacancy occurring in a year shall be senior to a member appointed by direct recruitment of that year.
- Confirmation**
19. (1) Subject to availability of a permanent vacancy in the cadre, every member of the service shall be confirmed in the cadre to which he/she is appointed if :-
- (a) He/ She has completed at least three (3) years of service to the satisfaction of the Appointing Authority,
- (b) He/ She is otherwise considered fit for confirmation by the Appointing Authority.
- (2) Subject to the aforesaid conditions, confirmation shall be made on the basis of seniority as determined under **rule 18**.

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| Gradation list | 20. | The respective Appointing Authorities shall prepare and publish every year a Gradation List consisting of the names of all the members of the service cadre-wise in order of seniority and such other particulars as date of birth , date of appointment , date of retirement, category etc |
| Pay | 21. | All appointment in the service shall be made in time scale of Pay as may be prescribed by the Government from time to time. The scales of pay of the posts in the cadre of the service, on the date of commencement of these rules, are as shown in Schedule-II . |
| Mode of employment | 22. | (1) A member of the service shall be liable to be posted anywhere within the state of Assam and to any Office of the Public Works Roads Department of the same status /level or any other Office of the PWRD within the jurisdiction of any autonomous council, if so required in the interest of public service, and in such case, the member shall not have any option against such posting or transfer. (2) In special/extraordinary cases, request by a member for transfer to other establishments from his office, the Appointing Authority of the concerned establishment shall submit proposal to the Government in the Public Works Roads Department for transfer of the services with required NOC and Accommodation Clearance from both the appointing authorities of the establishment, where the employee/member is to be transferred and from where to be transferred. |
| Other condition of service | 23. | Except as provided in these rules all matters relating to pay and allowances, leave, pension, discipline, and other conditions of service shall be regulated by the general rules and or orders of the Government for the time being in force. |
| Relaxation | 24. | Where the Government is satisfied that the operation of any of these rules causes undue hardship in any particular case, it may dispense with or relax the requirement of that rule to such extent and subject to such conditions as it may consider necessary for dealing with the case in a just and equitable manner: Provided that the case of any person/ employee shall not be dealt with in any manner less favourable to him/ her than that provided in these rules. |
| Interpretation | 25. | If any question arises relating to the interpretation of these rules, the decision of the Government shall be final. |
| Repeal and savings | 26. | Any rules corresponding to these rules and in force immediately before commencement of these rules, are hereby repealed: Provided that all order made or action taken under rules so repealed or under any General orders ancillary thereto shall be deemed to have been validity made or taken under the corresponding provisions of these rules. |

RAJESH KEMPRAI,

Commissioner & Spl. Secretary to the Govt. of Assam,
Public Works Roads Department, Dispur.

Schedule-I**(Rule-4)****Strength of the Service**

| Serial No. | Name of posts | Permanent | Temporary | Total |
|------------|---------------|-----------|-----------|-------|
| (1) | (2) | (3) | (4) | (5) |
| 1. | Duftry | 92 | - | 92 |
| 2. | Peon | 616 | - | 616 |
| 3. | Chowkider | 797 | - | 797 |

Schedule-II**(Rule-18)****[Based on Assam Service (Revision of Pay) Rules,2017].**

| Serial No. | Name of posts | Scale of Pay (Rs.) |
|------------|-----------------|--|
| (1) | (2) | (3) |
| 1. | Duftry | PB-1, Rs. 12,000-52,000/-+ GP Rs.4,400/- |
| 2. | Peon/ Chowkider | PB-1, Rs. 12,000-52,000/-+ GP Rs.3,900/- |

Schedule-III**Rule-8****Minimum qualifications prescribed for direct recruitment**

A candidate for direct recruitment **to the cadre of Peon/Chowkider** (Grade-IV) shall have the minimum qualifications as prescribed below:-

1. He must have passed the Class-X from a recognized School.

Schedule-IV**Rule-7(2)(b)****Syllabus:-**

The syllabus for the written test for recruitment of **Peon/Chowkider** (Grade-IV) shall comprise of One (1) paper containing of the following:-

Time : 3 hours.

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|------|---|---|----------|
| i) | General English (Basic Knowledge) | : | 20 marks |
| ii) | General Knowledge | : | 20 marks |
| iii) | History of Assam in MIL (Assamese/Bengali/Bodo/Nepali): | : | 10 marks |

Total 50 marks will be Marks allotted for Test, The paper will of objective type MCQ and OMR based.